

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Disciplinary proceedings against Sri M.Ramesh Babu, Addl.SP, formerly of Khammam District - Appointment of Inquiring Authority and Presenting Officer - Orders - Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 1663

Dated: 30/09/2009
Read the following:-

1. From the Director General of Police, A.P. Hyderabad, Letter Rc.No.742/G2/2007, dated 28.7.2007.
2. G.O.Rt.No.1056, Home (Ser.I) Department, dated 28.7.2007.
3. From the Director General of Police, A.P., Hyderabad, Letter Rc.No.327/O2/2007, dated 8.1.2008.
4. G.O.Rt.No.471, Home (Ser.I) Department, dated 13.3.2008.
5. From the General Administration (L&O.I) Department, U.O.Note No.12659/L&O.I/A1/2007-16, dated 18.8.2008.
6. From the Director General of Police, A.P., Hyderabad, Letter Rc.No.327/O2/2007, dated 12.12.2008.
7. Govt. Memo No.22349-A/Ser.I/A2/2007-9, dated 27.1.2009.
8. From Sri M.Ramesh Babu, Addl.SP, written statement of defense dated 5.3.2009.

O-O-O

O R D E R:

The Director General of Police, A.P., Hyderabad, in his letter 1st read above, has reported that the CPI (M) called for a State wide Bundh on 28.7.2007 to protest against Police Lathi Charge in connection with "Bhoo Poratam" agitation. As a sequel to the call, the agitators were observing Bundh within the limits of Mudigonda P.S. In spite of instructions issued time and again to prevent police personnel on Law & Order duties, from opening fire on agitators, Sri Ramesh Babu failed to follow the instructions and also failed to tackle the situation in a tactful manner and failed to command and guide the personnel on duty resulting in excess use of force and firing leading to death of (6) agitators and injury to many others. The Addl.SP being a senior and responsible officer, failed in his legitimate duties and responsibilities leading to this unwarranted action and he deserves to be dealt with for his misconduct and he should be placed under suspension pending regular enquiry.

2. After careful examination of the entire matter, Sri M.Ramesh Babu, Addl.SP was placed under suspension, pending initiation of disciplinary proceedings, by the Government vide G.O. 2nd read above.

3. In the reference 3rd read above, the Director General of Police, A.P., Hyderabad has reported that the matter was referred to the judicial enquiry to identify the police personnel responsible for firing on the agitators and to justify or otherwise the action of the police in opening fire on the agitators and the findings of the Commission is awaited.

4. Government reviewed the suspension case of Sri M.Ramesh Babu, Addl.SP, and revoked his suspension, without prejudice to the judicial enquiry pending against him, vide G.O. 4th read above.

5. In the reference 5th read above, the General Administration (L&O.I) Department has furnished the findings of the Commission, for taking necessary action thereon.

p.t.o.

6. After careful examination of the report of the Commission, Government issued article of charges to Sri M.Ramesh Babu, Addl.SP., formerly Khammam District, under rule-20 of APCS (CC&A) Rules, 1991, calling his written statement of defense thereon, vide reference 7th read above.

7. In the reference 8th read above, the Charged Officer has submitted his written statement of defence, denying the charges framed against him.

8. Since the Charged Officer has not admitted the charges framed against him, the Government have decided to conduct oral enquiry against the said Charged Officer by appointing Enquiry Officer and Presenting Officer under clause (b) and (c) of sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991.

9. Now, therefore, Government in exercise of the powers conferred sub-rule 2 read with clause (b) and (c) of sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991 (CC&A) Rules, 1991, hereby appoint Dr. Subrendu Bhattacharya, IAS, Member COI, as the Inquiring Authority and Ms. K.Sridevi, Advocate, as the Presenting Officer to present the case before the Inquiring Authority.

10. The Presenting Officer appointed in para-9 above shall acquaint himself with the facts of the case by procuring the records relating to the case and present the case before the Inquiring Authority effectively on behalf of the Government. He shall also obtain and furnish records to the Inquiring Authority, if necessary which are required during the course of enquiry.

11. The Inquiring Authority shall conduct enquiry strictly in terms of the procedure prescribed under Rule 20 of APCS (CC&A) Rules, 1991 (CC&A) Rules, 1991 and shall submit his report to the Government in terms of clause (ii) of sub-rule 18 of the said rules, as expeditiously as possible and however it shall not be more than two months from the date of issue of these orders.

12. The connected records in original are herewith enclosed and furnished to the Inquiring Authority in this case.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Dr. Subrendu Bhattacharya, IAS, Member COI
General Administration (COI.SB) Dept. (w.e)
Ms. K.Sridevi, Advocate
Flat No. 302, Poornima Mansion,
Street No.7, Vidyanagar, Hyderabad (w.e).
The Charged Officer concerned
through Director General of Police, A.P. Hyderabad
The Director General of Police, A.P. Hyderabad
Copy to:
The Secretary to Vigilance Commissioner, A.P.V.C., Hyderabad.
SF/SC

// Forwarded :: by order //

SECTION OFFICER